

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

TOUCHMARK NATIONAL BANK,

Plaintiff,

v.

No. 1:19-cv-02354-JDB-jay

ALVIN ESCUE, PHYLLIS ESCUE,
NATHAN ESCUE, and CALVIN MOORE,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION
AND
GRANTING PLAINTIFF'S REQUEST FOR ATTORNEYS' FEES AND COSTS

In an order entered February 18, 2021, this Court granted the motion of the Plaintiff, Touchmark National Bank ("Touchmark") for summary judgment, pursuant to Rule 56 of the Federal Rules of Civil Procedure, as to Defendant Calvin Moore.¹ (Docket Entry ("D.E.") 72.) Therein, the Court referred to the magistrate judge Plaintiff's request for an award of attorneys' fees and costs. On June 10, 2021, United States Magistrate Judge Jon A. York issued a report and recommendation, recommending that the motion be granted and that Plaintiff be awarded fees and costs in the amount of \$237,290.60. (D.E. 81.)

As no objections to the magistrate judge's report and recommendation have been filed and the time for such objections has expired, and upon review of the record, the report and recommendation is hereby ADOPTED. The motion for attorneys' fees and costs is GRANTED in the amount of \$237,290.60 against Moore.

¹At the time the order was entered, the remaining Defendants, Alvin, Phyllis, and Nathan Escue, had entered into bankruptcy proceedings and the automatic stay was in effect. Accordingly, the Court's ruling was limited to Touchmark's claims against Moore.

IT IS SO ORDERED this 29th day of June 2021.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE